

ECEC POLICY



Dealing with Complaints and Dispute Resolution	Document No:	r 168 2 (o)
	Approval Date:	1 Feb 2018
	Approved By:	Manager Family Services
	Reviewed on:	August 2025
Responsible Officer: Early Childhood Coordinator	Next Review:	August 2026
	Version	02
Authorising Officer: Manager Family Services		

The City of Greater Geelong is a Child Safe Organisation. We take the wellbeing and safety of children seriously and have zero tolerance for child abuse of any kind.

1. PURPOSE

The City of Greater Geelong Early Childhood Education and Care (ECEC) services are committed to resolving issues and remedying dissatisfaction for all stakeholders, to ensure the delivery of quality education and care services that meet expectations. This policy guides how City of Greater Geelong as the approved provider ECEC services and Early Years Manager (EYM) manage complaints and seeks resolution for any disputes that may arise.

2. SCOPE

This policy applies to all ECEC services operated by Family Services as the Approved Service Provider. Any concerns or complaints raised by children, parents/ guardians, volunteers, students, Parent Advisory Groups, internal or external stakeholders, external Family Support agencies or community members that have a relationship with the Service, shall be acknowledged and every effort made to seek a positive resolution.

Actions must facilitate the safe, confidential, non-discriminatory handling of complaints relating to a Service, staff member, educator, policy or procedure.

In line with the **Paramountcy Principle (s2A)** every person involved in delivering our education and care services will ensure that the safety, rights and best interests of children is the **paramount consideration in all their decisions and actions**.

Note: *Where issues emerge between the ECEC EYM and an employee, concerns will be addressed through the organisations People and Organisation policies and monitoring policies and procedures.*

3. BACKGROUND

In most cases, resolving complaints and disputes will be the responsibility of Family Services Department as the representative of Approved Provider and Early Years Manager (EYM), City of Greater Geelong (City). As the Approved Provider the City's ECEC Early Years Management (EYM) they will investigate the complaint and take any actions deemed necessary.

All complaints and disputes, when lodged with the City, need to be assessed to determine whether they are a general or a notifiable under National Regulation and Law to the State's regulatory authority - Quality Assessment and Regulatory Division (QARD) of the Department of Education. When a complaint has been assessed as 'notifiable', it must be reported to DE within the legislated timelines. When a complaint is received alleging the health, safety or wellbeing of any child within the service may have been compromised, or may have contravened the Education and Care Services National Law Act 2010 and the Education and Care Services National Regulations 2011, the investigation will most likely involve both the ECEC EYM and DE.

There may be occasion where a dispute relates specifically to Early Years Management other areas of Department of Education may need to become involved. The circumstance to trigger this and processes related to this are outlined below.

There may be occasions when the complainant reports an issue directly to DE – either to QARD or the Area regarding EYM. When appropriate, DE then notifies the City as the Approved Provider about a complaint they have received, ECEC EYM will investigate and deal with the complaint or grievance as outlined in this policy, in addition to co-operating with any investigation conducted by DE.

4. REFERENCES

Education and Care National Regulations 2011 (Amendments 2017)
Education and Care National Law Act 2010 (Amendments 2017)
Education and Care National Quality Standard
Early Years Management Framework Part 1
Early Years Management Policy Guidelines Part 2
Kindergarten Funding Guide
Charter of Human Rights and Responsibilities Act 2006 (Vic), as amended 2014
Children, Youth and Families Act 2005 (Vic), as amended 2016
Health Records Act 2001 (Vic), as amended 2016
The Privacy and Data Protection Act 2014 (Vic) (Public Sector) (repeals Information Privacy Act 2000)
Working with Children Act 2005
Victorian Institute of Teaching (VIT)
Family Assistance Legislation Amendment (Jobs for Families Child Care Package) Act 2017
Associations Incorporation Reform Act 2012
Child Safe Standards Victoria 2022 Standard 1,2,3,4,5,6,7,8,9,11
Australian Human Rights Commission (Child Safe Organisations division)
NQF Child Safe Culture Guide, ACECQA 2025

5. ECEC POLICY STATEMENT

FAMILY SERVICES ECEC EYM IS COMMITTED TO:

- providing an environment of mutual respect and open communication, where the expression of opinions is encouraged.
- complying with all legislative and statutory requirements.
- dealing with complaints and disputes, in a respectful, timely and professional manner.
- ensuring that the dealing with, and resolution of, complaints support the health, safety and wellbeing of children at all times.
- complainants being treated with respect, fairness and equity at all times.
- ensure mechanisms to promote prompt, efficient and satisfactory resolution of complaints and disputes are implemented equitably across all service types.
- maintaining confidentiality at all times.

FAMILY SERVICES EARLY CHILDHOOD EDUCATION AND CARE AND SERVICE MANAGEMENT WILL:

- ensure that the name and telephone number of the Responsible Person to whom complaints may be addressed are displayed prominently at the main entrance of the Service.
- ensure that the address and telephone number of the QARD DE regional office are displayed prominently at the main entrance of the Service.
- advise parents/guardians and any other new members of ECEC of the Dealing with Complaints and Dispute Resolution policy and procedures upon enrolment.
- ensure parent representatives including PAGs (if active) are informed of the Dealing with Complaints and Dispute Resolution policy and procedures.
- ensure members of the PAG (if active) aware of their role in the enactment of the Dealing with Complaints and Dispute Resolution policy and procedures.
- ensure there is a clear written policy and procedures for the handling of complaints by parents, staff, educators, children, Department of Education (DE) or by a member of the general public.
- ensure that procedures are regularly reviewed for alignment with responsibilities as an approved provider, an EYM and Kindergarten funding recipient and consistently followed ensure all stakeholders are supported throughout the complaints process.
- ensure all stakeholders are supported throughout the complaints process.
- ensure a satisfactory outcome for all parties, where possible.
- notify QARD and if relevant, other DE areas within 24 hrs if a complaint relates to the safety, health or wellbeing of a child or where a child's safety, health or wellbeing was compromised or where relevant legislation has been contravened.
- take all complaints of a serious nature such as, where a child's safety, health or wellbeing was compromised or where relevant legislation has been contravened, the

complaint must be reported to a coordinator or Family Services Manager as soon as possible.

SERVICES MANAGEMENT, TEACHERS AND EDUCATORS WILL:

- ensure continuity of quality service provision for all children and families accessing the service.
- work in alignment with all relevant legislations and guidelines, including but not limited to the Education and Care National Regulations 2011,(Amendments 2017), Education and Care National Law Act 2010 (Amendments 2017), National Quality Standard, EYM Policy Framework & Child Safe Standards.
- familiarise themselves with the Dealing with Complaints and Dispute Resolution Policy and related procedures.
- support colleagues, students, volunteers to understand their responsibilities relating to managing a complaint.
- take all complaints seriously and ensure service complaint procedures are followed immediately.
- listen respectfully to complaints made by children, respond using age-appropriate communication, and ensure concerns are documented and addressed and outcomes recorded in line with service procedures.
- make every attempt to identify and addressing potential concerns before they become formal complaints/grievances.
- report all complaints to the Service Management as soon as practical. In the absence of the Service Management, the complaint must be reported to a coordinator or Family Services Manager by the Responsible Person.
- provide information as requested by ECEC EYM to contribute to the investigation e.g. written reports relating to the complaint or dispute.
- complying with the service's Privacy and Confidentiality Policy and maintaining confidentiality at all times.
- working co-operatively with ECEC EYM and DE in any investigations related to complaints or disputes about a Service, its programs, teachers, educators, or administration.

FAMILIES WILL:

- communicate openly and respectfully with teachers and educators alerting them to any minor issues with the intend of seeking support and resolution before the issue escalates.
- make every attempt to identify, and address with the service any potential concerns before they become formal complaints/grievances.
- familiarise themselves with the Dealing with Complaints and Dispute Resolution Policy and related procedures.
- address staff and/or management if they would like to make a complaint (preferably in writing).

- raising any unresolved issues or serious concerns directly with the coordinator of Family Services Manager; as the representative of the Approved Provider, maintaining complete confidentiality at all times.

6. ANONYMOUS COMPLAINT

Anonymous complaints will generally only be acted on where the matter is relatively serious, and there is sufficient information in the complaint to allow for an investigation to be undertaken. Anonymous complaints must be referred to the Family Services Manager, who will decide if any further action should be taken.

7. LODGING A FORMAL COMPLAINT

In the situation where a concern has not been adequately addressed or the complainant is unable or unwilling to seek resolution with the service or the ECEC, EYM will follow this process:

- Lodge complaints in person, via email or by phone or by visiting <https://www.geelongaustralia.com.au/complaints> or
- Lodge a complaint directly to the Quality Assessment and Regulation Division of Department of Education for health, safety and wellbeing of a child or concerns about the service program or management operating under national law on (03) 5225 1001. <https://www.education.vic.gov.au/about/contact/Pages/complaineec.aspx>

If the Department receives a complaint directly regarding the operation of a children's service at any time, an authorised officer from your local regional office will assess how serious the complaint is and then take further action. An authorised officer will always investigate any complaints that allege a child's health, safety or wellbeing has been compromised or there has been a contravention of the relevant legislation. Among other things, the authorised officer may telephone the service, inspect the service, question staff members, take written statements, conduct formal interviews, or seize evidence when investigating complaints. For contacts of your regional office, see: Regional Offices.

8. DISPUTE RESOLUTION

Process for dispute resolution with Service Management or the EYM

Where issues emerge between an EYM organisation and an EYM employee, concerns will be addressed through the EYM organisation's human resources policies and monitoring channels.

In the situation where a significant dispute develops between the service management or ECEC, EYM and parents, the PAG or other stakeholders that cannot be resolved to the satisfaction of all parties the following process should be followed:

- Enact the Dealing with Complaints and Disputes policy to engage all parties through to a resolution. This may include the engagement of an independent mediator. *Further information about the mediation process can be found on the Dispute Settlement Centre of Victoria website www.disputes.vic.gov.au/mediation*
- The Department may become involved in a dispute when all other dispute resolution processes have been exhausted.

If the Department becomes involved in a dispute, the Department's regional office will lead the process in close consultation with central office.

The Department's priorities when working with parties to address unresolved issues are to ensure:

- continuity of quality service provision for all children and families accessing the service
- all parties are working in alignment with the EYM Policy Framework and these guidelines
- integrity of the EYM in Victoria.
- The Department will work with the parties to resolve the issues by:
 - understanding the respective concerns
 - assessing and articulating the potential impact on achieving the priorities listed above
 - consulting with other relevant stakeholders, including local government, to understand broader community needs and impact on service provision.

In cases where a mutually agreed solution cannot be found, the Department will make a final determination based on achieving the priorities listed above. The Department's determination could result in one of the following decisions:

- continued operation of the existing EYM partnership arrangement – in this case, the Department will oversee any commitments made between the EYM organisation and the service to ensure they take place in a timely manner
- transition of the service from the current EYM organisation to another EYM organisation, or other arrangements.

Dispute resolution processes address significant issues affecting service quality, continuity, access and community confidence in the EYM. (see EYM Kindergarten Operating Guidelines Part 2 – Department of Education 2016, page 12 & 13)

9. EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- monitor complaints to assess whether satisfactory resolutions have been achieved
- review the effectiveness of the policy and procedures to ensure that all complaints have been dealt with in a supportive, respectful, fair and timely manner
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify parents/guardians of any changes to this policy.

10. QUALITY RECORDS

- City of Greater Geelong's Complaints Register

11. SOURCES

ACECQA: www.acecqa.gov.au

Education and Care National Regulations 2011; Amendments 2017;

Education and Care National Law Act 2010; Amendments 2017;

Kindergarten Funding Guide;

Early Years Management Policy Part 1;

Early Years Management Kindergarten Operating Guidelines Part 2

12. Associated Service Documents

- Child Safe Policy (CoGG)
- Code of Conduct (CoGG)
- Enrolment and Orientation Policy
- Providing a Child Safe Environment Policy
- Interactions with Children Policy
- Staffing Policy
- Staffing – Determining the Responsible Person
- Family Services Annual ECEC Notice to Families Terms and Conditions
- Parent Advisory Group Handbook and Terms of Reference
- ECEC Educator Handbook
- Customer Enquiries/Complaints flow chart

13. AUTHORISATION

This policy was adopted by ECEC EYM on 1 February 2018 and was last updated / changed on 18 February 2019 (read over annually in August)

NEXT REVIEW: August 2026

14. ATTACHMENTS

NIL